

SUMMARY SHEET  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
December 11, 2008  
Amended

\_\_\_\_\_ ACTION/DECISION

  X   INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control (“EQC”).
- II. **SUBJECT:** Administrative and Consent Orders issued during the period September 1 – October 31, 2008.
- III. **FACTS:** For the period September 1, 2008 through October 31, 2008 EQC issued sixty-nine (69) Consent Orders with total assessed civil penalties in the amount of \$428,908.45

Unless otherwise specified, “Previous Orders” as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

Bureau	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
<b>Land &amp; Waste Management</b>				
UST Program	0	\$ 0	16	\$ 12,450.00
Solid Waste	0	0	5	36,060.00
Radiological Waste	0	0	2	6,000.00
Hazardous Waste	0	0	5	73,500.00
SUBTOTAL	0	0	28	\$ 128,010.00
<b>Water</b>				
Drinking Water	0	\$ 0	8	\$ 7,400.00
Water Pollution	0	\$ 0	14	119,498.45
SUBTOTAL	0	\$ 0	22	\$ 126,898.45
<b>Air Quality</b>				
SUBTOTAL	0	\$ 0	19	\$ 174,000.00
<b>TOTAL</b>	<b>0</b>	<b>\$ 0</b>	<b>69</b>	<b>\$ 428,908.45</b>

**ANALYSIS:** During the reporting period, Hazardous Waste Enforcement entered into a Consent Order with Force Protection Industries, Inc. (Respondent), a manufacturer of armored vehicles located in Charleston County. The Respondent had various violations of the Hazardous Waste Management Regulation including, but not limited to failure to label containers of waste with the words “Hazardous Waste”, an accumulation start date and the EPA Identification Number; failure to maintain a proper containment system; failure to inspect containers and areas where containers are stored; failure to properly train personnel;

failure to make preparedness and prevention arrangements with emergency officials; and failure to have a contingency plan. The Respondent will ensure all containers are properly labeled and managed; inspection requirements will be met and recorded and personnel will be properly trained. Hazardous waste determinations will be accurately made; arrangements will be made with the local authorities in case of an emergency situation; and, a contingency plan will be completed. A civil penalty in the amount of fifty-five thousand dollars (\$55,000.00) was assessed.

Water Pollution Enforcement entered into a Consent Order with the City of Simpsonville (Respondent) for land-clearing and construction activities at the Heritage Crest Subdivision located in Greenville County. The Respondent violated the Pollution Control Act for sediment discharged into the environment and waters of the State. Land disturbing activities were initiated prior to the Respondent obtaining a National Pollutant Discharge Elimination (NPDES) Permit. The Respondent will submit a report certifying the storm water and sediment control devices are installed and the plans for the site have been approved or a Notice of Termination must be submitted. A civil penalty in the amount of twelve thousand eight hundred dollars (\$12,800.00) was assessed.

Air Quality Enforcement entered into a Consent Order with Reeves Brothers, Inc. (Respondent), operator of a facility that produces urethane and rubber-coated fabrics located in Spartanburg County. The Respondent failed to conduct an initial performance test that demonstrated compliance with the hazardous air pollutant emission standards in the urethane and rubber-coating lines; failed to submit a Notice of Compliance Status stating it had complied with the standards; failed to submit the semiannual compliance report; and, failed to submit the annual Title V Compliance Certification. Reports and certifications will be submitted on time and an initial performance test will be conducted and the results submitted. A civil penalty in the amount of sixty thousand dollars (\$60,000.00) was assessed.

Of the sixty-nine (69) Consent Orders issued by EQC enforcement programs during the reporting period, all have either complied with the Order requirements or are currently in compliance with schedules required in those Orders.

Submitted by:

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Deputy Commissioner  
Environmental Quality Control